

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**DON M. GRUBBS, JR.,**

**Plaintiff,**

**VS.**

**CITIMORTGAGE, INC.,**

**Defendants.**

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**Case No. 4:12CV472**

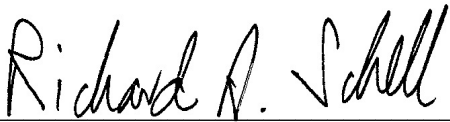
**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On November 8, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that Defendant CitiMortgage, Inc.'s Motion to Dismiss (Dkt. 4) be GRANTED and that Plaintiff's claims be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, Defendant CitiMortgage, Inc.'s Motion to Dismiss (Dkt. 4) is GRANTED and that Plaintiff's claims shall be dismissed with prejudice.

**IT IS SO ORDERED.**

**SIGNED this the 28th day of March, 2013.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE